



ROBINSON MCFADDEN
ATTORNEYS AND COUNSELORS AT LAW

ROBINSON, MCFADDEN & MOORE, P.C.
COLUMBIA, SOUTH CAROLINA

July 2, 2013

VIA ELECTRONIC FILING

Jocelyn Boyd, Chief Clerk/Administrator
Public Service Commission of South Carolina
Synergy Business Park, Saluda Building
101 Executive Center Drive
Columbia, SC 29210

Bonnie D. Shealy
1901 MAIN STREET, SUITE 1200
POST OFFICE BOX 944
COLUMBIA, SOUTH CAROLINA 29202
PH
(803) 779-8900 | (803) 227-1102 *direct*
FAX
(803) 744-1551
bshealy@robinsonlaw.com

**Re: Birch Communications and Ernest Communications, Inc.'s
Application to Approve Transfer of Assets
Docket No. 2013-216-C
Our File No. 30803-0005**

Dear Ms. Boyd:

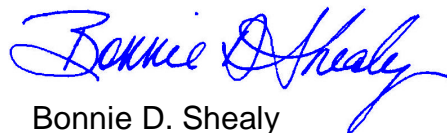
We are filing herewith the Affidavits of Publication from the following newspapers:

1. Greenville, *The Greenville News*;
2. Columbia, *The State*; and
3. Charleston, *The Post and Courier*.

If you have any questions, please have someone on your staff contact me.

Very truly yours,

ROBINSON, MCFADDEN & MOORE, P.C.


Bonnie D. Shealy

BDS/tch
Enclosures

cc w/enc: Angela F. Collins, Esquire (via email)

The Greenville News

greenvilleonline.com

A GANNETT COMPANY

Legal Advertising

Date: 6/12/2013

Name: ROBINSON MCFADDEN MOORE

Address: 1901 MAIN ST STE 1200 COLUMBIA SC 2920124

Ad No: 4794581 Class: 0008 Legal Notices (News) Rate: Legal Rates

Publish Dates:

Thursday, June 13, 2013

Lines: 262

Attn: Jeni

Affidavit of Publication

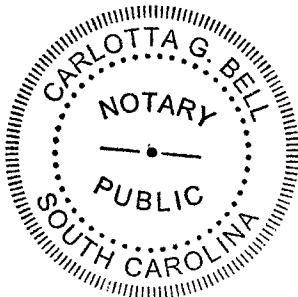
I, Susan F. Mullinax, being the Legal Advertising Agent for *The Greenville News*, do hereby testify that the attached legal ad was published on 262 lines as set forth above, in The Greenville News beginning on 6/13/2013 and ending on 6/13/2013

Susan Mullinax

Susan F. Mullinax
Legal Advertising Agent

Carlotta G. Bell

Carlotta G. Bell
Notary Public for the State of South Carolina
My Commission Expires July 22, 2020



Post Office Box 1688 * Greenville, SC 29602
Phone: 864.298.4100



305 South Main Street * Greenville, SC 29601
Toll Free: 1.800.800.5116

Ad Text:

4794581PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA CLERK'S OFFICE NOTICE OF FILING DOCKET NOS. 2013-216-C, 1999-323-C,2000-265-C, and 2001-447-C Joint Application of Birch Communications,Inc.; Birch Telecom of the South, Inc. d/b/aBirch Communications; and Ernest Commu-nications, Inc. for Approval to Transfer Assets Docket Summary: Application of Birch Com-munications, Inc. (f/k/a Access IntegratedNetworks, Inc. d/b/a Birch Communications)for a Certificate of Public Convenience andNecessity to Provide Local Exchange and In-terexchange Telecommunications ServicesStatewide Docket Summary: Application of Birch Tele-com of the South, Inc. d/b/a Birch Commu-nications (f/k/a Birch Telecom of the South,Inc. d/b/a Birch Telecom and d/b/a Birch) fora Certificate of Public Convenience and Ne-cessity to Provide Resold and Facilities-BasedInterexchange (Toll) and Local Exchange Tele-communications Services within the State ofSouth Carolina Docket Summary: Application of Ernest Com-munications, Inc. for a Certificate of PublicConvenience and Necessity to Provide ResoldLocal Exchange Telecommunications Services Birch Communications, Inc. ("Birch Commu-nications"), Birch Telecom of the South, Inc.d/b/a Birch Communications ("Birch Telecom-")(collectively, the "Company"), and ErnestCommunications, Inc. ("Ernest") (Birch Com-munications, Birch Telecom and Ernest collec-tively, the "Joint Applicants") have filed aVerified Joint Application with the Public Serv-ice Commission of South Carolina ("Comm-ission") seeking authority to transfer Ernest'stelecommunications assets and South Caroli-na customer base to the Company. The Veri-fied Joint Application was filed pursuant toS.C. Code Ann. §§ 58-9-280, 58-9-300, and 58-9-310. Pursuant to an Asset Purchase Agree-ment executed on May 30, 2013, Birch agreedto purchase the following assets from Ernest:certain customer accounts and receivables,certain customer agreements and contracts,certain vendor agreements and contracts,certain equipment, and certain intellectualproperty. Birch will not assume any of Er-nest's pre-closing liabilities or obligations.Regarding rates and services, the Applicationstates that upon receiving the required regu-latory approvals, Birch Telecom will file anynecessary tariff revisions to incorporate Er-nest's current services and rates without anyimmediate changes to their service offeringsor rates, and Birch Telecom will provide Er-nest's customers with the same service qual-ity for the provision of telecommunicationsservices. A copy of the Company's application can befound on the Commission's website atwww.psc.sc.gov under Docket Nos. 2013-216-C,

1999-323-C, 2000-265-C, and 2001-447-C. Additionally, a copy of the application is available from the Company's representative Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, SC 29202. A public hearing, if scheduled, will be held in the Commission's offices for the purpose of receiving testimony and other evidence from all interested parties regarding this application. The date and time of the hearing will be announced at a later date. Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before Friday, July 12, 2013, and indicate the amount of time required to address the Commission. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. Please refer to Docket Nos. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C. Any person who wishes to testify and present evidence at the hearing should notify, in writing, the Commission; the Office of Regulatory Staff at 1401 Main Street, Suite 900, Columbia, South Carolina 29201; and the Company's representative at the above address, on or before Friday, July 12, 2013, and indicate the amount of time required to address the Commission. Please refer to Docket Nos. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C. Any person who wishes to be notified of any change in the hearing, but does not wish to present testimony or be a party of record, may do so by notifying the Commission, in writing, at the address below on or before Friday, July 12, 2013. Please refer to Docket Nos. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C. PLEASE TAKE NOTICE that any person who wishes to have his or her comments considered as part of the official record of this proceeding MUST present such comments in person to the Commission during the hearing. Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov. 6/11/13

THANK YOU FOR YOUR ADVERTISEMENT!

If I can be of further assistance, please call : 864-298-4100

NOTICE OF FILING

DOCKET NOS. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C

Docket Summary: Joint Application of Birch Communications, Inc.; Birch Telecom of the South, Inc. d/b/a Birch Communications; and Ernest Communications, Inc. for Approval to Transfer Assets

Docket Summary: Application of Birch Communications, Inc. (f/k/a Access Integrated Networks, Inc. d/b/a Birch Communications) for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Interexchange Telecommunications Services Statewide

Docket Summary: Application of Birch Telecom of the South, Inc. d/b/a Birch Communications (f/k/a Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch) for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Interexchange (Toll) and Local Exchange Telecommunications Services within the State of South Carolina

Docket Summary: Application of Ernest Communications, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold Local Exchange Telecommunications Services

Birch Communications, Inc. ("Birch Communications"), Birch Telecom of the South, Inc. d/b/a Birch Communications ("Birch Telecom") (collectively, the "Company"), and Ernest Communications, Inc. ("Ernest") (Birch Communications, Birch Telecom and Ernest collectively, the "Joint Applicants") have filed a Verified Joint Application with the Public Service Commission of South Carolina ("Commission") seeking authority to transfer Ernest's telecommunications assets and South Carolina customer base to the Company. The Verified Joint Application was filed pursuant to S.C. Code Ann. §§ 58-9-280, 58-9-300, and 58-9-310. Pursuant to an Asset Purchase Agreement executed on May 30, 2013, Birch agreed to purchase the following assets from Ernest: certain customer accounts and receivables; certain customer agreements and contracts; certain vendor agreements and contracts; certain equipment; and certain intellectual property. Birch will not assume any of Ernest's pre-closing liabilities or obligations. Regarding rates and services, the Application states that upon receiving the required regulatory approvals, Birch Telecom will file any necessary tariff revisions to incorporate Ernest's current services and rates without any immediate changes to their service offerings or rates, and Birch Telecom will provide Ernest's customers with the same service quality for the provision of telecommunications services.

A copy of the Company's application can be found on the Commission's website at www.psc.sc.gov under Docket Nos. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C. Additionally, a copy of the application is available from the Company's representative Bonnie D. Shealy, Esquire, Robinson, McFadden & Moore, P.C., Post Office Box 944, Columbia, SC 29202.

A public hearing, if scheduled, will be held in the Commission's offices for the purpose of receiving testimony and other evidence from all interested parties regarding this application. The date and time of the hearing will be announced at a later date.

Any person who wishes to participate in this matter as a party of record with the right of cross-examination, should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before Friday, July 12, 2013, and indicate the amount of time required to address the Commission. For the receipt of future Commission correspondence, please include an email address in the Petition to Intervene. **Please refer to Docket Nos. 2013-216-C, 1999-323-C, 2000-265-C, and 2001-447-C.**

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STATE MEDIA CO., INC.

Columbia, South Carolina
publisher of

The State

Emily Fernandez, Project & Support Supervisor
that the advertisement,

2013-216-C, 1999-323-C, 2000-265-C, 2001-447-C
of Birch Communications, Inc

daily newspaper of general circulation published in
County aforesaid, in the issue(s) of

me

Notary Public

*"Errors- the liability of the publisher on account of errors in
or omissions from any advertisement will in no way exceed
the amount of the charge for the space occupied by the item in
error, and then only for the first incorrect insertion."*

ROBINSON, MCFADDEN & MOORE
PO BOX 944
COLUMBIA SC 29202

AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

06/14/13 Fri PC
06/14/13 Fri CNW

at a cost of \$438.60
Account# 107217
Order# 986791
P.O. Number: 30803-0005

Subscribed and sworn to before
me this 14th day
of June
A.D. 2013

K. Edgings
advertising clerk

NOTARY PUBLIC, SC
My commission expires



PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

NOTICE OF FILING

DOCKET NOS.
2013-216-C,
1999-323-C,
2000-265-C and
2001-447-C

Joint Application of Birch Communications, Inc.; Birch Telecom of the South, Inc. d/b/a Birch Communications; and Ernest Communications, Inc. for Approval to Transfer Assets

Application of Birch Communications, Inc. (f/k/a Access Integrated Networks, Inc. d/b/a Birch Communications) for a Certificate of Public Convenience and Necessity to Provide Local Exchange and Interexchange Telecommunications Services Statewide

Docket Summary: Application of Birch Telecom of the South, Inc. d/b/a Birch Communications (f/k/a Birch Telecom of the South, Inc. d/b/a Birch Telecom and d/b/a Birch) for a Certificate of Public Convenience and Necessity to Provide Resold and Facilities-Based Interexchange (Toll) and Local Exchange Telecommunications Services within the State of South Carolina

Application of Ernest Communications, Inc. for a Certificate of Public Convenience and Necessity to Provide Resold Local Exchange Telecommunications Services

Birch Communications, Inc. ("Birch Communications"), Birch Telecom of the South, Inc. d/b/a Birch Communications ("Birch Telecom") (collectively, the "Company"), and Ernest Communications, Inc. ("Ernest") (Birch Communications, Birch Telecom and Ernest collectively, the "Joint Applicants") have filed a Verified Joint Application with the Public Service Commission of South Carolina ("Commission") seeking authority to transfer Ernest's telecommunications assets and South Carolina customer base to the Company. The Verified Joint Application was filed pursuant to S.C. Code Ann. §§ 58-9-280, 58-9-300, and 58-9-310. Pursuant to an Asset Purchase Agreement executed on May 30, 2013, Birch agreed to purchase the following assets from Ernest: certain customer accounts and receivables, certain customer agreements and contracts, certain vendor agreements and contracts, certain equipment, and certain intellectual property. The Joint Applicants have his or her comments considered as part of the official record of this proceeding. **MUST** present such comments in person to the Commission during the hearing.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.gov.
AD#986791

Peter D. Korn
ATTORNEY
PLAINTIFFS
purchaser
premises if requested by the
chaser info possession of the
authorized to put the pur-
Charleston County may be
above set out. The Sheriff
upon the same terms as
ponse of the defaulting bidder
property at the risk and ex-
sale the Master will resell the
thirty days from the date of
to comply with the bid within
Should the highest bidder fail
the purchase price.
said deposit to be applied to
(5%) percent of the bid; the
check in the amount of five
the bidding, cash or certified
Master, at the conclusion of
to pay a deposit with the
the Plaintiff, will be required
cash to the highest bidder.
The property shall be sold for
be made immediately.
compliance with the bid may
open after the date of sale, but
the bidding will not remain
indemnity being demanded.
No personal or deficiency
TMS#: 425-05-00-072